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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
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11 STEVE KASSAB,

12 Plaintiff,

13 vs.

14 SAN DIEGO POLICE DEPARTMENT,  
et al.,

15 Defendants.

CASE NO. 07cv1071 WQH (WMc)

**ORDER**

16 HAYES, Judge:

17 On June 12, 2007, Plaintiff Steve Kassab filed a Complaint (Doc. # 1) against the San  
18 Diego Police Department, the City of San Diego, the City Attorney's Office, several individual  
19 officers, and Does 1 through 100. (Doc. # 1).

20 On January 24, 2008, Plaintiff filed a Motion for Leave to File an Amended Complaint  
21 (Doc. # 37). In the Motion to Amend, Plaintiff states that "the 'events' that have transpired  
22 on November 16, 2007, at approximately 12:00, on December 19, 2007, at approximately  
23 12:45, and on January 15, 2007, at approximately 1:30 p.m. is Supplemental pleadings which  
24 may introduce new causes of action not alleged in the original complaint." *Mot. to Amend*, p.  
25 3. Plaintiff states that "the present motion . . . seeks leave to amend the complaint to seek  
26 disclosure and to include does 1-100." *Id.* at 2.


27 Defendants have not filed an opposition to the Motion to Amend.

28 Rule 15 of the Federal Rules of Civil Procedure mandates that leave to amend "be freely  
given when justice so requires." Fed. R. Civ. P. 15(a). This policy is applied with

1 “extraordinary liberality.” *Morongo Band of Mission Indians v. Rose*, 893 F.2d 1074, 1079  
2 (9th Cir. 1990). Once an answer to the complaint has been filed, as is the case here, courts  
3 may deny leave to amend where the proposed amendment would be futile, where it is sought  
4 in bad faith, where it will create undue delay, or where “undue prejudice to the opposing party  
5 will result.” *Howey v. United States*, 481 F.2d 1187, 1190 (9th Cir. 1973); *see also Johnson*  
6 *v. Mammoth Recreations, Inc.*, 975 F.2d 604, 607 (9th Cir. 1992); *Saul v. United States*, 928  
7 F.2d 829, 843 (9th Cir. 1991).

8 Having reviewed the Motion and the supporting documents, and having received no  
9 opposition from Defendants, the Court **GRANTS** the Motion for Leave to File an Amended  
10 Complaint (Doc. # 37) filed by Plaintiff Steve Kassab. Plaintiff shall file a First Amended  
11 Complaint **no later than June 2, 2008**.

12 DATED: April 15, 2008

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14 **WILLIAM Q. HAYES**  
15 United States District Judge  
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